

**United States District Court**  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

JUDGE: Sean D. Jordan

COURT REPORTER:  
Gayle Wear

COURTROOM DEPUTY:  
Bonnie Sanford

**WALMART INC.**

v.

**Case No. 4:20cv817**

**U.S. DEPARTMENT OF JUSTICE ET AL**

PLAINTIFF: Clyde Siebman, Benjamin Mizer, Jason Varnado  
Karen Hewitt, David Ogden (by video)

DEFENDANT: Kate Talmor (by video)

Also appearing: Peter Weinberger (by video)

**This day came the parties and by their attorneys the following proceedings were held before Judge Sean D. Jordan in Plano, Texas on 1/26/21.**

**Motion Hearing (Motion to Dismiss de#43)**

- 10:03 am The court called the case, noting the appearance of counsel and parties.
- 10:05 am The court takes up the Motion to Dismiss (de#43).
- 10:07 am Ms. Talmor presents argument to the Court for the Defense
- 10:26 am Mr. Mizer presents argument to the Court for the Plaintiff.
- 11:13 am Ms. Talmor presents rebuttal and further argument to the Court.
- 11:53 am Mr. Mizer addresses questions from the Court.
- 11:57 am Court recessed until 12:10 pm.

12:10 pm      Court resumes. Final argument by Mr. Mizer.

12:19 pm      Final argument by Ms. Talmor.

12:38 pm      Mr. Mizer addresses questions from the Court.

12:43 pm      Response by Ms. Talmor.

12:46 pm      Further briefs to be filed by the end of the week, no more than 10 pages.

12:47 pm      Court adjourned.